

# ***NEWS RELEASE***

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## ***OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA***

***San Diego, California***

***United States Attorney  
Carol C. Lam***

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### **NEWS RELEASE SUMMARY** - April 4, 2005

United States Attorney Carol C. Lam announced the sentencing today of the remaining two defendants in a seven-defendant, alien-smuggling prosecution. All seven defendants have pleaded guilty. On May 3, 2004, the seven defendants were arrested after smuggling more than 70 undocumented aliens into the United States by crashing three vans through a gate at the Otay Mesa, California, Port of Entry. United States District Court Judge Larry A. Burns today sentenced Moises Lopez-Frausto and Javier Frausto-Frausto to serve a prison term of 30 months each for their role in guiding one of the vans filled with undocumented aliens.

In sentencing the two defendants, Judge Burns found that they created a substantial risk of death or serious bodily injury to others involved in the incident, attempted to evade arrest, and caused injury to one of the smuggled aliens.

The charges of which defendants were found guilty arose from events that occurred on May 3, 2004. On that date, at approximately 7:40 p.m., agents spotted three vans traveling northbound in a southbound lane,

at a high rate of speed, from Mexico toward the Port of Entry. In an effort to prevent the vans from entering the Port, agents closed a large, steel gate. The lead van, reinforced with a heavy grille guard, hit the gate, knocking it from its hinges. Two other vans followed. The lead van continued through the Port directly at one of the agents. In response, the agent fired at the driver. The van altered its course, narrowly missing the agent. The lead van, along with a second van, proceeded out of the Port. The third van became entangled with the fallen gate and never exited the Port. Agents followed the two vans that made it out of the Port. Those two vans continued on to a business park nearby, where the passengers and smugglers scrambled into two other waiting vans. Agents resumed tracking the vans and noticed that one of the vans was being led by a guide vehicle. Eventually, agents were able to apprehend the occupants of the two vans and the guide vehicle near Fallbrook, California.

Judge Burns previously sentenced the driver of the lead van, Aurelio Montes-Rodriguez, to a prison term of 42 months, for his role in smuggling the undocumented aliens and assaulting a federal officer. In addition, Judge Burns sentenced the two drivers of the other vans, Jorge Antonio Villa-Corona and Abel Lopez-Roblero, to 30 months and two others who aided in smuggling the undocumented aliens, Luis Raul Arteaga-Godina and Israel Gomez-Castellanos, to terms of 18 months.

United States Attorney Lam stated, “We will never tire in our effort to hold accountable those smugglers, motivated solely by greed, who recklessly endanger the lives of law enforcement personnel, undocumented aliens, and innocent bystanders.”

## **DEFENDANTS**

JORGE ANTONIO VILLA-CORONA  
AURELIO MONTES-RODRIGUEZ  
ABEL LOPEZ-ROBLERO  
LUIS RAUL ARTEAGA-GODINA  
ISRAEL GOMEZ-CASTELLANOS  
MOISES LOPEZ-FRAUSTO  
JAVIER FRAUSTO-FRAUSTO

## **SUMMARY OF CHARGES**

Assault on a federal officer, 18 U.S.C. § 111(a)(1) and (b).

Bringing in an illegal alien for financial gain and aiding and abetting, 8 U.S.C. § 1324(a)(2)(B)(ii) and 18 U.S.C. § 2.

Bringing in an illegal alien without presentation and aiding and abetting, 8 U.S.C. § 1324(a)(2)(B)(iii) and 18 U.S.C. § 2.

Transporting an illegal alien and aiding and abetting, 8 U.S.C. § 1324(a)(1)(A)(ii) and (v)(II).

### **AGENCIES**

Department of Homeland Security, Customs and Border Protection, Otay Mesa Port of Entry  
Department of Homeland Security, Immigration and Customs Enforcement, San Diego Sector  
Department of Homeland Security, United States Border Patrol, San Diego Sector